

BLD-107

January 17, 2008

UNITED STATES COURT OF APPEALS FOR THE THIRD CIRCUIT

C.A. No. **07-3012**

JAMES W. RILEY

VS.

WARDEN THOMAS CARROLL, ET AL.

(D. Del. CIV. NO. 04-cv-01435)

Present: MCKEE, RENDELL and SMITH, Circuit Judges

Submitted is Appellant's request for a certificate of appealability under 28 U.S.C. § 2253(c)(1) in the above-captioned case.

Respectfully,

Clerk

MMW/EMC/isc

ORDER

The request for a certificate of appealability is denied, as jurists of reason would not debate whether the District Court properly determined that the claims raised in Appellant's 28 U.S.C. § 2254 habeas petition lack merit. Appellant has not made a substantial showing of the denial of his constitutional rights with regard to any of his claims. 28 U.S.C. § 2253(c); Miller-El v. Cockrell, 537 U.S. 322, 327 (2003).

By the Court,

/s/ Theodore A. McKee

Circuit Judge



A True Copy

Marcia M. Waldron

Dated: September 10, 2008

ISC/cc: James W. Riley

Loren C. Meyers, Esq.

Marcia M. Waldron, Clerk
Certified order issued in lieu of mandate.